Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

Ent 486 332 Bk 729 Pg 79 9/ Date: 27-MAY-2008 9:37AM 9/ Fee: None Filed By: PL MERLENE MOSHER DALTON, Recorder GRAND COUNTY CORPORATION For: STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Grand County as it pertains to the highway located in Grand County known as POLAR MESA ROAD; County Road Number: 00101; State Geographic Information Database (SGID) Road Identification Number: RD100019. Total road length is 9.7 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 22^{-Q} day of May , 200 8.

By the Governor's Designee

CERTIFICATION

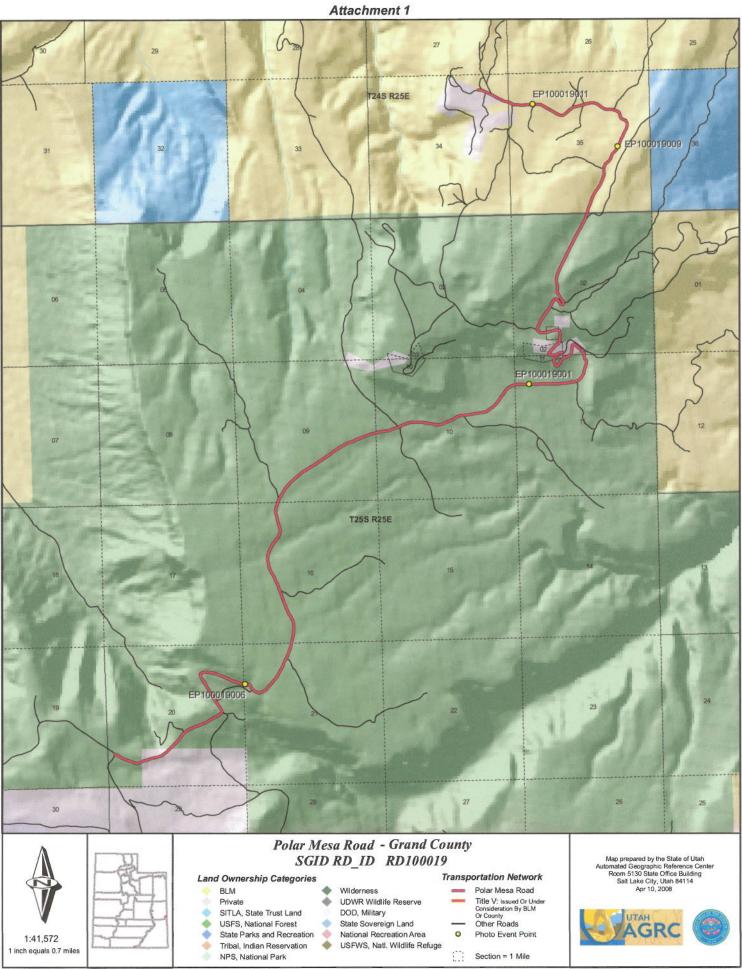
State of Utah : SS County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC PAMELA Z. BLACKHAM Dated this 22 day of May, 2008.

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Notary Public

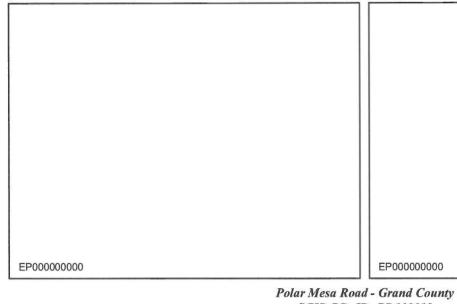












EP000000000



SGID RD_ID RD100019 Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 April 14, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: POLAR MESA ROAD

County: Grand

County Road Number: 00101

State Geographic Information Database (SGID) Road Identification Number: RD100019.

Total Road Length: 9.7 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 36 minutes 42.76 seconds North Latitude and -109 degrees 11 minutes 44.74 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,298,869.2 feet and Y = 6,671,610.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 40 minutes 45.47 seconds North Latitude and -109 degrees 08 minutes 46.04 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,312,404.1 feet and Y = 6,696,527.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 24 South Range 25 East, Section(s) 34,35, Salt Lake Base & Meridian Township 25 South Range 25 East, Section(s) 2,9,10,11,16,20,21, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: POLAR MESA ROAD

County: Grand

County Road Number: 00101

State Geographic Information Database (SGID) Road Identification Number: RD100019.

Total Road Length: 9.7 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
Number (RD_ID)	001	FS	0.21 Miles	†(pending)
RD100019	002	PVT	0.23 Miles	(not shown)
RD100019	003	FS	5.41 Miles	†(pending)
RD100019	004	PVT	0.16 Miles	(not shown)
RD100019	005	FS	0.22 Miles	†(pending)
RD100019	006	PVT	0.1 Miles	(not shown)
RD100019	007	FS	0.05 Miles	†(pending)
RD100019	008	PVT	0.11 Miles	(not shown)
RD100019	009	FS	1.3 Miles	†(pending)
RD100019	010	BLM	1.71 Miles	A
RD100019	011	PVT	0.19 Miles	(not shown)
		Total Road Length	9.7	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF RAYMOND M. TIBBETTS

POLAR MESA ROAD

COUNTY ROAD NUMBER 00101

GRAND COUNTY, UTAH

State of Utah)
	: SS
County of Grand)

RAYMOND M. TIBBETTS, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Grand County for 68 years. I was a Grand County Commissioner for six years. I was a Grand County Deputy Sheriff from 1954 to 1956.
- 2. I have traveled and am familiar with a road in Grand County known as Polar Mesa Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1940s, it followed the same route as in 2005 when I last observed it. Attached is a Grand County map showing Polar Mesa Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.
- 3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1940s and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by various means, including Grand County road equipment, ATVs, cars, trucks and jeeps.

Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2005.

- 4. Throughout the time period from the early 1940s to 2005, I have used the road myself for hunting, law enforcement, arrow head hunting and recreation.
- 5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations, tourism, mining, prospecting for minerals, wood gathering and traveling in and through the area.
- 6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- 7. Prior to 1976, I observed maintenance equipment performing maintenance and construction activities on the road.

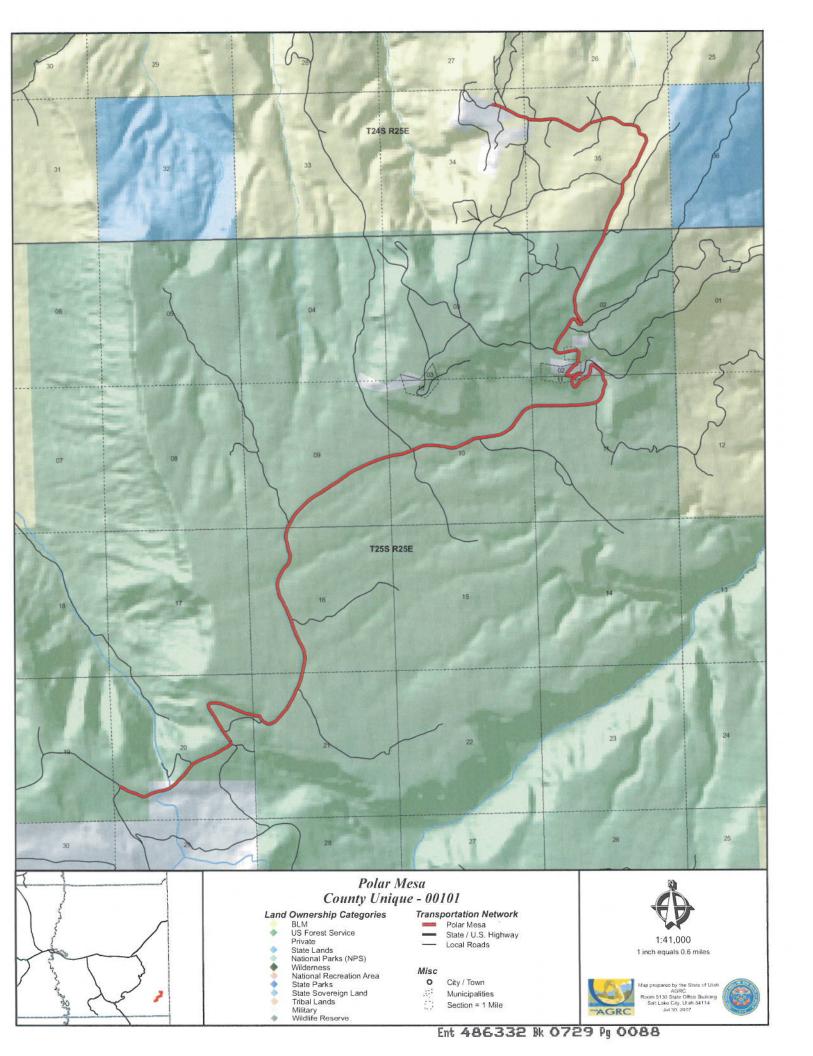
Dated this _____ day of August, 2007.

RAYMOND M. TIBBETTS

SUBSCRIBED AND SWORN to before me this day of August, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City. UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

MOTARY PUBLIC



AFFIDAVIT OF JERRY McNEELY

POLAR MESA ROAD

GRAND COUNTY, UTAH

ROAD NUMBER 00101

State of Utah)	
	: ss.	
County of Grand)	

JERRY McNEELY, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Moab, Grand County, Utah. I have lived in Grand
 County since 1945. My Great-Grandfather settled in the Moab Valley in the late 1800s. I have
 been a Grand County Council member since 2001.
- 2. I have traveled and am familiar with a road in Grand County known as Polar Mesa Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1950s it followed the same route as in 2007 when I last observed it. Attached is a Grand County map showing Polar Mesa Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
 - 3. The County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the mid 1950s and continuing through 2007. Throughout this time period I observed travel on the road by means of cars, pickup trucks, cattle trucks and ATVs. During this time period, the road was used daily for more than ten continuous years prior to 1976 and was so used in 2007.
- 5. Throughout the time period from the mid 1950s to 2007, I used the road myself for my employment with a land surveyor, hunting and recreation.

- 6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus, livestock operations, mining, prospecting for minerals, oil and gas exploration and sightseeing.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- 8. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance and construction activities such as berms along the side of the road.

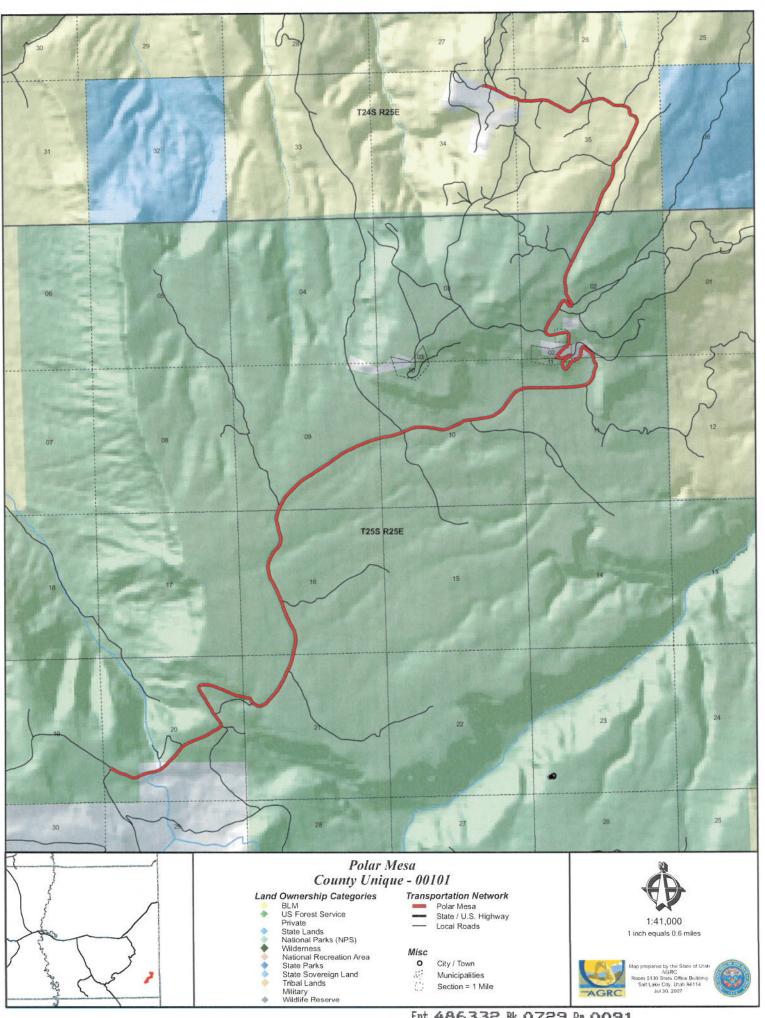
DATED this ___l__ day of August, 2007.

JERRY McNEEL

SUBSCRIBED AND SWORN to before me this day of August, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bidg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTADV DI IDI IC



Appendix A to Attachment 4

Popular Name: POLAR MESA ROAD

County: Grand

County Road Number: 00101

State Geographic Information Database (SGID) Road Identification Number: RD100019.

Road-Segment Number: 010

Road-Segment Length: 1.71 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 24 South Range 25 East, Section(s) 34,35, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (POLAR MESA ROAD)-- Segment 010 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 39 minutes 59.03 seconds North Latitude and -109 degrees 07 minutes 55.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,316,538.3 feet and Y = 6.691,936.3 feet; thence the following courses along the said road center line:

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thence North 14 Degrees 55 Minutes 16 Seconds East thence North 18 Degrees 10 Minutes 40 Seconds East thence North 19 Degrees 25 Minutes 36 Seconds East thence North 18 Degrees 33 Minutes 02 Seconds East thence North 19 Degrees 19 Minutes 28 Seconds East thence North 18 Degrees 10 Minutes 16 Seconds East thence North 20 Degrees 18 Minutes 50 Seconds East thence North 26 Degrees 39 Minutes 47 Seconds East thence North 32 Degrees 39 Minutes 58 Seconds East thence North 32 Degrees 41 Minutes 13 Seconds East thence North 34 Degrees 02 Minutes 55 Seconds East 125.3 feet thence North 34 Degrees 02 Minutes 55 Seconds East 171 feet
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thence North 26 Degrees 54 Minutes 16 Seconds East 75.7 feet
thence North 25 Degrees 36 Minutes 21 Seconds East 118.6 feet
thence North 23 Degrees 44 Minutes 48 Seconds East 124 feet
thence North 13 Degrees 30 Minutes 57 Seconds East 133.5 feet
thence North 03 Degrees 08 Minutes 31 Seconds West 134.7 feet
thence North 00 Degrees 40 Minutes 38 Seconds East 126.4 feet
thence North 00 Degrees 20 Minutes 58 Seconds West 6.6 feet
thence North 28 Degrees 37 Minutes 55 Seconds East 135 feet
thence North 46 Degrees 26 Minutes 37 Seconds East 134.2 feet
thence North 40 Degrees 04 Minutes 37 Seconds East 127.2 feet
thence North 18 Degrees 41 Minutes 18 Seconds East 123.2 feet
thence North 25 Degrees 01 Minutes 29 Seconds East 89 feet
thence North 39 Degrees 37 Minutes 10 Seconds East 94.2 feet
thence North 43 Degrees 51 Minutes 30 Seconds East 125.9 feet
thence North 25 Degrees 07 Minutes 47 Seconds East 136.3 feet
thence North 23 Degrees 40 Minutes 37 Seconds East 149.1 feet
thence North 23 Degrees 18 Minutes 49 Seconds East 159.4 feet
thence North 25 Degrees 09 Minutes 59 Seconds East 149.1 feet
thence North 25 Degrees 19 Minutes 38 Seconds East 142 feet
thence North 27 Degrees 25 Minutes 46 Seconds East 120.5 feet
thence North 19 Degrees 40 Minutes 39 Seconds East 124 feet
thence North 04 Degrees 25 Minutes 00 Seconds West 118.4 feet
thence North 31 Degrees 53 Minutes 13 Seconds West 104 feet
thence North 67 Degrees 10 Minutes 33 Seconds West 108.4 feet
thence North 64 Degrees 58 Minutes 40 Seconds West 88.1 feet
thence North 16 Degrees 13 Minutes 13 Seconds West 87 feet
thence North 09 Degrees 14 Minutes 38 Seconds West 66.4 feet
thence North 19 Degrees 34 Minutes 48 Seconds West 74.7 feet
thence North 55 Degrees 27 Minutes 47 Seconds West 109 feet
thence North 73 Degrees 31 Minutes 03 Seconds West 102 feet
thence North 73 Degrees 10 Minutes 37 Seconds West 55.6 feet
thence North 70 Degrees 54 Minutes 33 Seconds West 14.8 feet
thence North 85 Degrees 05 Minutes 52 Seconds West 35.9 feet
thence South 89 Degrees 39 Minutes 02 Seconds West 55 feet
thence South 89 Degrees 39 Minutes 02 Seconds West 82.4 feet
thence South 89 Degrees 39 Minutes 02 Seconds West 63.4 feet
thence North 76 Degrees 54 Minutes 49 Seconds West 70.6 feet
thence North 56 Degrees 29 Minutes 44 Seconds West 114.9 feet
thence North 53 Degrees 38 Minutes 06 Seconds West 120.8 feet
thence North 59 Degrees 32 Minutes 11 Seconds West 115.3 feet
thence North 73 Degrees 56 Minutes 08 Seconds West 110.3 feet
thence North 87 Degrees 41 Minutes 31 Seconds West 106.2 feet
thence South 79 Degrees 33 Minutes 40 Seconds West 28.1 feet
thence South 73 Degrees 42 Minutes 19 Seconds West 35.8 feet
thence South 72 Degrees 58 Minutes 06 Seconds West 74.3 feet
thence South 78 Degrees 25 Minutes 59 Seconds West 75.9 feet
thence South 75 Degrees 14 Minutes 20 Seconds West 46.1 feet
thence South 75 Degrees 53 Minutes 23 Seconds West 41.4 feet
thence South 76 Degrees 26 Minutes 24 Seconds West 7.2 feet
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thence South 73 Degrees 39 Minutes 55 Seconds West 77.5 feet
thence South 73 Degrees 03 Minutes 51 Seconds West 86.2 feet
thence South 76 Degrees 48 Minutes 38 Seconds West 81.2 feet
thence South 77 Degrees 13 Minutes 59 Seconds West 91.6 feet
thence South 65 Degrees 48 Minutes 43 Seconds West 77.1 feet
thence South 64 Degrees 08 Minutes 03 Seconds West 15.2 feet
thence South 53 Degrees 41 Minutes 45 Seconds West 83.8 feet
thence South 48 Degrees 15 Minutes 03 Seconds West 104.2 feet
thence South 48 Degrees 20 Minutes 30 Seconds West 119.3 feet
thence South 55 Degrees 19 Minutes 35 Seconds West 113.5 feet
thence South 89 Degrees 39 Minutes 02 Seconds West 96.8 feet
thence North 71 Degrees 10 Minutes 18 Seconds West 104.9 feet
thence North 60 Degrees 57 Minutes 04 Seconds West 117 feet
thence North 59 Degrees 49 Minutes 40 Seconds West 119.5 feet
thence North 61 Degrees 58 Minutes 35 Seconds West 131.2 feet
thence North 64 Degrees 47 Minutes 21 Seconds West 125.5 feet
thence North 57 Degrees 50 Minutes 16 Seconds West 122.1 feet
thence North 65 Degrees 55 Minutes 41 Seconds West 134.9 feet
thence North 79 Degrees 10 Minutes 31 Seconds West 135.5 feet
thence South 89 Degrees 39 Minutes 03 Seconds West 62.1 feet
thence South 89 Degrees 39 Minutes 03 Seconds West 55.6 feet
thence South 83 Degrees 52 Minutes 37 Seconds West 130.5 feet
thence South 83 Degrees 28 Minutes 14 Seconds West 121.9 feet
thence South 87 Degrees 23 Minutes 38 Seconds West 125 feet
thence North 89 Degrees 38 Minutes 07 Seconds West 131.7 feet
thence North 88 Degrees 41 Minutes 09 Seconds West 113.1 feet
thence North 86 Degrees 35 Minutes 41 Seconds West 25.1 feet
thence North 86 Degrees 09 Minutes 04 Seconds West 112.1 feet
thence North 67 Degrees 58 Minutes 08 Seconds West 60.3 feet
thence North 48 Degrees 50 Minutes 30 Seconds West 5 feet
thence North 53 Degrees 23 Minutes 47 Seconds West 81.9 feet
thence North 76 Degrees 58 Minutes 01 Seconds West 66.9 feet
thence North 76 Degrees 57 Minutes 37 Seconds West 46.5 feet
thence North 78 Degrees 13 Minutes 21 Seconds West 132.8 feet
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thence North 64 Degrees 21 Minutes 49 Seconds West 71.1 feet more or less to **the ending point at:** 38 degrees 40 minutes 41.37 seconds North Latitude and -109 degrees 08 minutes 34.46 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,313,332.6 feet and Y = 6,696,137.8 feet.